·Atty. Dkt. 070441/0274072
WOOLF et al. Appln. No. 09/778,956   ·   .

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION OF   Confirmation No.: 5820

WOOLF et al.   Group Art Unit: 1631

Appln. No.: 09/778,956   Examiner: Marschel, Ardin H.

Filed: February 8, 2001

Title: A METHOD FOR ANALYZING GENE EXPRESSION DATA USING FUZZY LOGIC

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SUMMARY OF TELEPHONIC INTERVIEW

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant presents the following summary of an interview in this application between
Examiner Marschel and applicant's undersigned representative, conducted by telephone on the
morning of Wednesday, August 11, 2004. Applicant notes with appreciation the Examiner's
review, in advance of the interview, of the Amendment filed July 29, 2004.

The Examiner agreed that the rejection under section 112 would be withdrawn. The
rejection under section 101 was then discussed. The Examiner suggested that the Affymetrix
claim (used as an example in the MPEP and in applicant's amendment) supported the rejection
because this claim recites a conversion of the data from outside the device to inside the device.

Applicant's representative responded by noting that the section of the MPEP which cites
the Affymetrix claim is headed "Manipulation of Data Representing Physical Objects or
Activities" (MPEP 2106.IV.B.2.(b)(i), part 2) and that the pending claims are clearly limited to
manipulation of data representing physical objects or activities. Applicant's representative
argued that the pending claims thus satisfy the requirements of this section, and that the
proposed additional requirement of a conversion of data from outside to inside is not supported
in this section of the MPEP.

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INT. SUM. OK
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